



ATTORNEYS AT LAW

## KEATING, MUETHING & KLEKAMP, P.L.L.

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November 26, 2003

Michael G. Brautigam, Esq.  
2605 Burnet Avenue  
Cincinnati, Ohio 45219-2502

Re: Thiemann v. OHSL Financial Corporation

Dear Mike:

I write in response to your letter of November 26, 2003. I was out of town when your last letter arrived.

I have already been in touch with Norb Brinker and I am scheduled to speak with Marilyn Weiland regarding dates for their depositions. We also will obtain dates for Ken Hanauer's deposition. I do not anticipate any problem in getting these depositions scheduled before the end of the calendar year.

You consistently fail to address a question which has been posed to you in numerous other letters, however. You deposed Mr. Brinker and Mr. Hanauer at length in the Nolte matter. We have already agreed that these depositions can be used for all purposes in this case. I have repeatedly asked you your position on whether you will agree to confine your depositions of Mr. Hanauer and Mr. Brinker to topics which were not covered during their initial depositions. Please state your position on this so that we can consult the Court, if necessary.

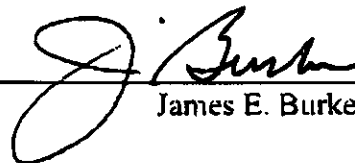
Michael G. Brautigam, Esq.  
November 26, 2003  
Page 2

I expect to have firm dates for you early next week. If you have any questions, please call.

Sincerely yours,

KEATING, MUETHING & KLEKAMP, P.L.L.

By:



James E. Burke

JEB:jlm

cc: John W. Hust, Esq.  
James E. Gauch, Esq.  
John B. Pinney, Esq.  
J. Michael Debbeler, Esq.  
Michael R. Barrett, Esq.  
Rachael A. Rowe, Esq.

Via Facsimile



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December 2, 2003

Michael G. Brautigam, Esq.  
2605 Burnet Avenue  
Cincinnati, Ohio 45219-2502

Re: Thiemann v. OHSL Financial Corporation

Dear Michael:

I am in receipt of your letter dated November 26, 2003. Your suggestion that I am asking for "a detailed deposition outline for [my] review and approval," is inaccurate. I am suggesting only that you refrain from covering ground during the depositions of Messrs. Hanauer and Brinker that already has been covered in the numerous days of depositions in the Nolte action. The details and circumstances of Provident/OHSL merger, the proxy statement, and the 1999 shareholders' meeting was covered at length during those depositions. If this is unacceptable, I suggest we schedule a telephone conference with Magistrate Judge Hogan at which time we can discuss and resolve this issue.

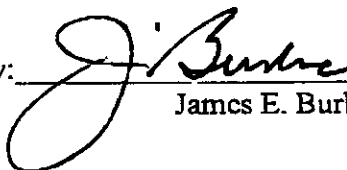
With respect to dates, I know that Rachael Rowe has already corresponded with you regarding Mr. Hanauer's deposition. I met with Norb Brinker at the end of October and discussed your request to take his deposition on a mutually convenient date. At that time he was fine. I spoke with Marilyn Wieland today, however, and she learned that her father was hospitalized about two weeks ago because he was having difficulty walking. The cause is not clear, but it may have been the result of a mild stroke. A lump also was discovered near his lung during the hospital stay. Marilyn advised me that her father now is in a nursing facility undergoing physical therapy and rehabilitation. He is not able to be deposed at this time. His deposition will have to be deferred, until his health improves.

With respect to Ms. Wieland's deposition, she is on vacation December 11-12, 2003. I am in North Carolina for depositions the week of December 15, 2003 and Ms. Wieland is taking vacation the week between Christmas and New Year. Although Ms. Wieland is willing to appear for a deposition, it appears that we will need to select convenient dates during January, 2004. Please let me know your availability, then.

Michael G. Brautigam, Esq.  
December 1, 2003  
Page 2

Sincerely yours,

KEATING, MUETHING & KLEKAMP, P.L.L.

By:   
James E. Burke

JEB:jlh

cc: John W. Hust, Esq.  
Michael R. Barrett, Esq.  
John B. Pinney, Esq.  
J. Michael Debbeler, Esq.  
James E. Gauch, Esq.

Via Facsimile



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December 15, 2003

**Via Facsimile and Regular Mail**

Michael G. Brautigam, Esq.

Gene Mesh & Associates

2605 Burnet Avenue

Cincinnati, Ohio 45219-2502

Dear Michael:

I am in receipt of your letter dated December 12, 2003.

I am actively pursuing the process which we discussed with Magistrate Judge Hogan on Tuesday, December 9, 2003. I have corresponded with the OHSL directors whom you asked to depose and have discussed tentative dates for three of the four. I still need to speak with one remaining director to finalize a date. I have also spoken with Mr. Brinker's doctor and expect to receive a letter from him this week. As soon as I receive it, I will forward it to you and Magistrate Judge Hogan.

If you have any questions, please let me know.

Sincerely yours,

KEATING, MUETHING & KLEKAMP, P.L.L.

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'J. Burke', written over a horizontal line.

James E. Burke

JEB:ltw

cc: Michael R. Barrett, Esq.  
J. Michael Debbler, Esq.  
John B. Pinney  
John Hust, Esq.  
James E. Gauch, Esq.

**KMK****Keating, Muething & Klekamp PLL**

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**JAMES E. BURKE**

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December 16, 2003

Via Facsimile and Regular U.S. Mail

Michael G. Brautigam, Esq.

Gene Mesh &amp; Associates

2605 Burnet Avenue

Cincinnati, Ohio 45219-2502

Re: Thiemann v. OHSL Financial Corporation

Dear Mr. Brautigam:

I have checked the schedules of Joe Teneover, Bill Hillebrand, Howard Zoellner, and Al Hucke, the OHSL directors that you previously deposed in this action. In response to your request to briefly re-depose these individuals, they all are available on Monday, January 5, 2004. This is the earliest date that works for all four. Mr. Zoellner has having his hip replaced on January 7, so this also is the last date for a while on which all four can be assembled. Given the logistical difficulties of assembling all of these individuals at one time, and place, we also must request that depositions be conducted at The Provident Bank office on Bridgetown Road, Cincinnati, Ohio. Please let me know if you wish to proceed in this manner.

With respect to Mr. Brinker, his primary physician advised me last Friday that Mr. Brinker presently is unable to be deposed. He added that they have been unable to specifically determine the cause of Mr. Brinker's medical problems, so, it is difficult to predict when he will be sufficiently recovered to be deposed. Dr. Smith, however, hoped that such a recovery would occur in 4 - 6 weeks. He added, however, that if the cause of Mr. Brinker's partial paralysis still is not identified by then, he may request a further delay. I have asked him to put this in writing



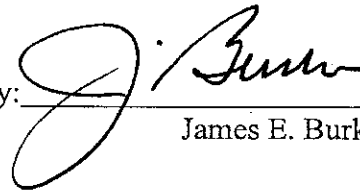
Michael G. Brautigam, Esq.  
December 16, 2003  
Page 2

so that I can transmit it to you and to Magistrate Judge Hogan. As soon as I receive this letter I will forward it to you.

Sincerely yours,

KEATING, MUETHING & KLEKAMP, P.L.L.

By:



James E. Burke

JEB:jlq

cc: John B. Pinney, Esq.  
John Hust, Esq.  
J. Michael Debbler, Esq.  
James E. Gauch, Esq.  
Michael R. Barrett, Esq.

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December 17, 2003

Via Facsimile and Regular U.S. Mail

Michael G. Brautigam, Esq.  
Gene Mesh & Associates  
2605 Burnet Avenue  
Cincinnati, Ohio 45219-2502

Re: Thiemann v. OHSI Financial Corporation

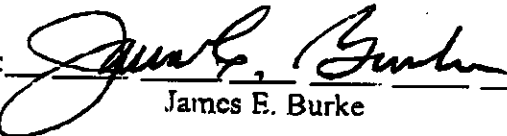
Dear Mr. Brautigam:

Yesterday's letter regarding the deposition of the OHSI directors contained an inadvertent error. Bill Hillebrand is having his hip replaced. Howard Zoellner, however, is unavailable after January 7, 2003 because he is leaving town. In short, the date constraints remain the same, but for different reasons.

If you have any questions, please call. I will wait to hear from you.

Sincerely yours,

KEATING, MUETHING & KLEKAMP, P.L.L.

By:   
James E. Burke

JEB:jlg

cc: John B. Pinney, Esq.  
John Hust, Esq.  
J. Michael Debbler, Esq.  
James E. Gauch, Esq.  
Michael R. Barrett, Esq.





# KMK

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JAMES E. BURKE  
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December 19, 2003

Michael G. Brautigam, Esq.  
2605 Burnet Avenue  
Cincinnati, Ohio 45219-2502

Re: Thiemann v. OHSL Financial Corporation

Dear Michael:

I am in receipt of your letter dated December 17, 2003.

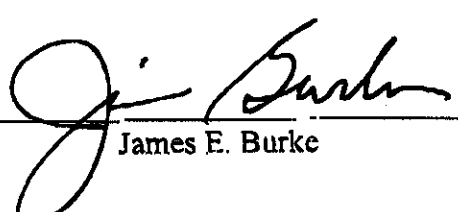
The reasons for the request to conduct the depositions at the Provident Bank office on Bridgetown Road are as follows: As you have pointed out in numerous pleadings, these gentlemen are elderly. Bill Hillebrand is in need of a hip replacement and is having some difficulty getting around. This Provident Bank branch is familiar to them (because it formerly was an OHSL branch), is close to where they live and located on one floor, has readily accessible parking, and permits entry directly from the parking lot into the bank without a lot of stairs. It also has a conference room which is more than sufficient for the purposes of the depositions.

I also am awaiting the letter from Dr. Smith which I expect to receive soon. I did raise with him your issue of whether or not some limited interrogation would be permissible at this point, and he indicated it would not be. I will wait to respond to your request for a conference call until after the letter has been received and we can discuss this with Magistrate Judge Hogan.

Sincerely yours,

KEATING, MUETHING & KLEKAMP PLL

By: \_\_\_\_\_

  
James E. Burke

JEB:jlm



Michael G. Brautigam, Esq.  
December 19, 2003  
Page 2

cc: John W. Hust, Esq.  
Michael R. Barrett, Esq.  
J. Michael Debbeler, Esq.  
John B. Pinney, Esq.  
James E. Gauch, Esq.

Via Facsimile